

Regular Session, 2010

SENATE BILL NO. 4

BY SENATOR MURRAY

PUBLIC HEALTH. Authorizes ordinances regulating backwashing of swimming pools into the street. (8/15/10)

AN ACT

To enact R.S. 33:4883, relative to the exercise of police powers by local governmental subdivisions; to authorize parish and municipal governing authorities to adopt ordinances regulating the backwash and drainage of swimming pools; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4883 is hereby enacted to read as follows:

§4883. Exercise of police power; backwashing and drainage of residential and commercial pools

For the purpose of promoting the health, safety, and general welfare of the community, parish and municipal governing authorities may adopt ordinances regulating the backwashing and drainage of residential and commercial swimming pools into the street. Such ordinances may restrict the practice of backwashing or draining a swimming pool into the street. Any such ordinance shall be subject to judicial review on the grounds of abuse of discretion, unreasonable exercise of police powers, excessive use of the power herein granted, or the denial of the right of due process. However, the right of

- 1 **judicial review of such ordinances shall not be limited by the provisions of this**
2 **Section.**

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Greg Waddell.

DIGEST

Murray (SB 4)

Proposed law provides that parish or municipal governing authorities may adopt ordinances regulating the backwashing and drainage of residential and commercial swimming pools into the street.

Proposed law further provides that any ordinance which restricts the practice of backwashing or draining a swimming pool into the street shall be subject to judicial review on the grounds of abuse of discretion, unreasonable exercise of police powers, excessive use of the power herein granted, or the denial of the right of due process. However, the right of judicial review of such ordinances shall not be limited by the provisions of this proposed law.

Effective August 15, 2010.

(Adds R.S. 33:4883)